

REMARKS

Applicants wish to thank the Examiner for reviewing the present patent application. Moreover, Applicants acknowledge and appreciate that the Examiner has withdrawn the 35 USC §101 and 35 USC §103 rejections of the official Office Action mailed June 29, 2001.

I. Rejection Under 35 USC §112, Paragraph 1

The Examiner has rejected claims 1-16 under 35 USC §112, paragraph 1 and alleges that such claim contain subject matter not described in the specification in such a way as to enable a person skilled in the art to make and/or use the invention. Particularly, the Examiner is of the position that the specification is not enabled for any and all liquid compositions suitable for producing a dry lubricant film on a conveyor belt surface. In view of this, the Examiner believes that the rejection made under first paragraph is warranted.

Notwithstanding the Examiner's position above, it is the Applicants' position that claims 1-16 fully comply with 35 USC §112, paragraph 1. This is true because Applicants are not claiming any liquid compositions but only those that, for example, produce a dry lubricant on the surface of a conveyor belt surface. The criteria for such claim language is fully supported by the specification at, among other places, pages 3, and pages 5-11 and the examples.

Furthermore, it is well established that Applicants do not have to provide an example for every liquid composition covered by their claims. In this regard, Applicants

respectfully submit that claims 1-16 fully comply with 35 USC §112, paragraph 1 and that the rejection under the same should be withdrawn and rendered moot.

II. Rejection Under 35 USC §112, Paragraph 2

The Examiner has rejected claims 1, 3, 4, 6, 11 and 16 under 35 USC §112, second paragraph and alleges that the claims fail to particularly point out the subject matter which Applicants regard as the invention. Particularly, the Examiner believes it is unclear if the term aqueous phase includes water or water and other components.

Applicants respectfully direct the Examiner's attention to, among other places, page 5 of the specification, lines 26-28. At such page and lines, Applicants define a substantially non-aqueous liquid to be one with ". . . , less than 10% by weight of water."

Therefore, an aqueous liquid is one having 10% by weight or more water. In view of this, Applicants submit that the language in claims 1, 3, 4, 6, 11 and 16 fully complies with paragraph 2 and the rejection under the same should be withdrawn and rendered moot.

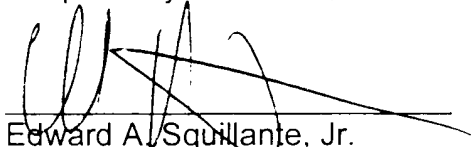
III. References of Record

Applicants respectfully submit that if any references of record appear to be pertinent prior art, as mentioned by the Examiner, the Rejection should be withdrawn and the Examiner should render a new non-final action.

Applicants submit that the application should pass to issue and that all claims are ready for appeal.

In the event the Examiner has any questions, she is kindly invited to contact the undersigned at her earliest convenience.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward A. Squillante, Jr.', written over a horizontal line.

Edward A. Squillante, Jr.  
Attorney for Applicant(s)  
Reg. No. 38,319

EAS:pod  
(201) 840-2925